

PROCLAMATION

BY THE

Governor of the State of Texas

41-2163

TO ALL TO WHOM THESE PRESENTS SHALL COME:

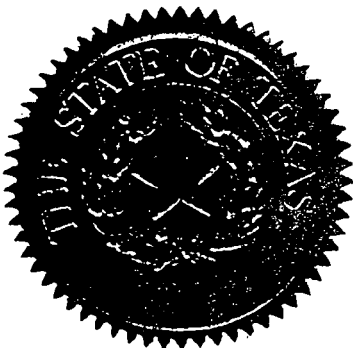
Pursuant to Article IV, Section 14 of the Texas Constitution, I, William P. Clements, Jr., Governor of Texas, do hereby veto House Bill 1078 because of the following objections:

(1) House Bill 1078 would remove the current requirement that a sworn answer be filed by a party contesting forfeiture of property seized under the Texas Controlled Substances Act, and would remove the time limits for filing such an answer. If this requirement were removed, drug dealers could go to court at any time and lie with impunity to recover the proceeds of their illegal activity.

(2) The current statutory formula for allocating the proceeds of property forfeited under the Texas Controlled Substances Act gives law enforcement agencies incentive vigorously to pursue drug dealers while at the same time allowing up to 10% of these funds to be used for drug enforcement and treatment where there is a determination of need by the local authorities. House Bill 1078 would require that 25% of all forfeited funds be used for drug treatment programs, thereby removing local discretion as to the disposition of these funds. I believe the current formula strikes an appropriate balance between these two worthy objectives, and the change contemplated by House Bill 1078 is unwarranted.

The Secretary of State shall take notice of this action and notify the Legislature.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the seal of the State to be affixed hereto at Austin, this 20th day of June, 1987.



W. P. Clements, Jr.
William P. Clements, Jr.
Governor of Texas

Filed in the Office of
Secretary of State

JUN 20 1987

Statutory Filings Division
Statutory Documents

Jack M. Rains
Jack M. Rains